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United States Attorney  
District of Hawaii

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII *CC*  
Mar 24, 2023, 12:32 pm  
Lucy H. Carrillo, Clerk of Court

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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 22-00013 SOM
	)	
Plaintiff,	)	GOVERNMENT'S MOTION FOR A
	)	DOWNWARD DEPARTURE;
vs.	)	CERTIFICATE OF SERVICE
	)	
TY J.K. CULLEN,	)	<u>Sentencing Hearing:</u>
	)	Date: April 6, 2023
Defendant.	)	Time: 10:00 a.m.
	)	Judge: Hon. Susan Oki Mollway
	)	

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**GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE**

The UNITED STATES Of AMERICA moves for a Downward Departure in the sentencing of Defendant TY J.K. CULLEN (hereafter, the “Defendant”), pursuant to United States Sentencing Guideline Section 5K1.1 and Title 18, United States Code, Section 3553(e).

This Motion is based on the timeliness of the Defendant's cooperation and the completeness and extent of his cooperation. Defendant has provided substantial assistance as follows:

1. Following his arrest [REDACTED], the defendant immediately became cooperative with Special Agents of the Federal Bureau of Investigation and the United States Attorney’s Office for the District of Hawaii. The investigative team at the time of defendant’s arrest had been involved in a lengthy investigation into public corruption allegations involving public officials in Hawaii, [REDACTED]. After being arrested and being advised of his rights the defendant immediately elected to talk with agents, provide information about his conduct and that of others, including other public officials.

2. Because of defendant’s willingness to be cooperative [REDACTED]

[REDACTED]

[REDACTED]. On

[REDACTED], the defendant was interviewed by investigating agents and

provided substantial information concerning his activities, and those of others.

[REDACTED]

[REDACTED]

[REDACTED]

3.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5.

[REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. The defendant has provided substantial information concerning other possible acts of public corruption [REDACTED] in Hawaii, and has agreed to continue his cooperation as our investigation continues. In sum, the defendant's cooperation has resulted in a chargeable [REDACTED] offense, and assisted in creating helpful leverage against other subjects as our covert investigation continues.

8. The presentence investigation report concludes that the Defendant is an offense level 21 and criminal history category I, which results in a guideline range of 37-46 months. Based upon the extent and nature of the Defendant's

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cooperation and assistance to date, the government recommends a four (4) level downward departure to offense level 17 (24-30 months).

DATED: March 24, 2023, at Honolulu, Hawaii.

Respectfully submitted,

CLARE E. CONNORS  
United States Attorney  
District of Hawaii

*/s/ Kenneth M. Sorenson*

By \_\_\_\_\_  
KENNETH M. SORENSON  
Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served via Email:

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Attorney for Defendant  
TY J.K. CULLEN

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Darsie Ing-Dodson  
U.S. Probation Officer

Darsie\_Ing-Dodson@hip.uscourts.gov

DATED: March 24, 2023, at Honolulu, Hawaii.

*/s/ Dawn Aihara*

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